



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 14, 2008

Esther KJose
31395 472nd Avenue
Elk Point, SD 57025

Re: Request to extend comment period for the Hyperion Energy Project PSD permit

Dear Ms. KJose:

As per your request, the South Dakota Department of Environment and Natural Resources hereby grants your request to extend the public comment period on the draft Prevention of Significant Deterioration air quality pre-construction permit for the Hyperion Energy Center. The comment period for the draft permit will be extended until November 14, 2008. Since we have had similar requests from others, this extension applies to all parties and the public. For details on the extension, please review the enclosed public notice.

You requested that the extension occur 30-days after we provide you with the anticipated yearly emission totals. Please find enclosed a copy of a page from Hyperion's revised permit application that lists the annual emissions. This document can be found on our website at <http://www.state.sd.us/DENR/Hyperion/Air/200805155RevisionsToApplicationText.pdf>. The draft permit establishes the Best Available Controls Technology and the associated emission limits (e.g. pounds per hour) for each air pollutant that the Hyperion Energy Center must meet. The emission limits are inputted in a model that demonstrated the area will be able to attain the federal National Ambient Air Quality Standards and Prevention of Significant Deterioration increments established by the federal Environmental Protection Agency after the Hyperion Energy Center is operating. The actual emissions from Hyperion are required to be less than these emission limits and therefore the annual emissions will be less than those listed in the enclosure. Thank you for responding to our public notice and providing your comments thus far on the draft permit.

Sincerely,

Steven M. Pirner
Secretary

Enclosures:

cc: Preston V. Phillips, Hyperion (w/o enclosure)
Roxanne Giedd, Deputy Attorney General (w/o enclosure)
Carol Rushin, Acting Regional Administrator, EPA Region 8 (w/o enclosure)

DENR
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

10-8, 2008

Re: Proposed Draft Air Permit
Hyperion Energy Center
Union County, South Dakota

RECEIVED

OCT 10 2008

AIR QUALITY
PROGRAM

Gentlemen:

We have reviewed your Draft Permit and found it difficult to understand in layman's terms. We would request that you publish a simplified list of permitted contaminants with anticipated yearly totals requested with your estimates of proposed limits for each.

We would also request that the 30 day comment period for this Draft Permit be extended so that after you give us the anticipated yearly emissions totals, we will have adequate time to review and properly comment.

We also respectfully request that the final Air Permit be delayed until you receive an Environmental Impact Statement that you should request from an independent third party (and bill such to Hyperion as required by South Dakota law) to more fully understand the full environmental and socio-economic impact of the proposed project.

Sincerely,

Esther Kjose

*We have Rural water and are
against you're trying to get it*

Esther Kjose

31395 472nd Ave.

Elk Point